IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18164 of 2004

Between:

B. Lava Raju S/o Raju
R/o 1-12, Canal Street, Balabadrapuram, Bikkavolu Mandal, East Godavari Dsitrict

.... PETITIONER

AND

1 The Transmission Corporation of A.P. Limited,

rep by it's Managing Director, Vidyut Soudha,
Khairatabad, Hyderabad
2 The Superintendent Engineer, Operation Circle,

A.P. Transco, Rajahmundry.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or Writ particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the respondents in not absorbing the services of the petitioner in the respondent corporation for the post of Junior Linemen or any other suitable post as per B.P.Ms. No. 36 dated 10-5-1997 is illegal, arbitrary and unjust and consequently direct the respondent corporation to absorb the services of the petitioner in the post of Junior Lineman or any other suitable post

Counsel for the Petitioner: SMT.K.UDAYA SRI

Counsel for the Respondents: SMT.E.URMILA (SC for APSEB)

The Court at the stage of admission made the following **ORDER** :

The petitioner contends that he was engaged as a Contract Labour in the second respondent-Corporation in the year 1995. He has been continuously working as a Contract Labour with some artificial breaks. In 1998, he was called for interview for the posts of Junior Linemen. But he was not given the post on the ground that the 50% vacancies were filled up with the other candidates who were seniors to him.

The petitioner further contends that he submitted an application on 20-07-2003 in pursuance of a notification given by the respondents for the posts of Contract Junior Linemen. But his case was not considered for contract post also, despite availability of the posts. The petitioner therefore approached this Court through this Writ Petition seeking a direction to the respondents to absorb him as a Junior Lineman or any other suitable post. The petitioner contends that he is qualified to hold the post of the Junior Lineman. But the respondents have not considered his candidature.

In the light of the circumstances explained by the petitioner, the respondents shall, in the event of making appointments of Junior Lineman interviews in the 50% quota, the candidature of the petitioner may also be considered along with other eligible candidates and pass orders according to the existing rules.

The Writ Petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt:7th October, 2004.

Rns.

To

1 The Managing Director,

Transmission Corporation of A.P. Limited,

Vidyut Soudha,
Khairatabad, Hyderabad.

2 The Superintendent Engineer,

Operation Circle, A.P. Transco, Rajahmundry.

3. Two CD copies.